

Appl. No. 10/029,663
Amdt date August 13, 2003
Reply to Office action of January 15, 2003

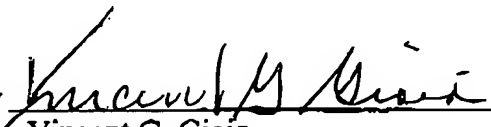
REMARKS/ARGUMENTS

The Office action dated January 15, 2003 has been reviewed and the comments therein carefully considered. It is noted that objections are made to the drawings as submitted with the application. Applicant will submit replacement drawings in due course upon indication of allowance of claim.

In the Office action, various issues and questions are presented regarding the description of the new variety. By the amendments as submitted in the accompanying Substitute Specification, Applicant has made a *bona fide* attempt to respond to each of the issues set forth in the Office action in accordance with the statutory requirement to provide a reasonably complete description.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are earnestly solicited. If any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Vincent G. Gioia
Reg. No. 19,959
626/795-9900

VGG/lfb
Enclosure
Substitute Specification (Marked-up Copy)
Substitute Specification (Clean Copy)
(accompanying Petition to Revive/Check)

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SUBSTITUTE SPECIFICATION
(Marked-up Copy)

41419/VGG/P622

CLEMATIS PLANT NAMED 'VANSO'

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OFFICE OF PETITIONS

CLASSIFICATION

The present invention relates to a new Clematis plant.

VARIETY DENOMINATION

The new plant has the varietal denomination 'VANSO'.

10

BACKGROUND OF THE INVENTION

The present invention relates to a new Clematis plant having the varietal denomination 'VANSO'. 'VANSO' was discovered as a natural branch mutation of the variety 'MRS. CHALMONDELEY', not known to be patented.

15

SUMMARY OF THE INVENTION

The new variety is a Clematis plant with a climbing habit distinguished by production of fully double flowers. Asexual reproduction of the new variety as performed by softwood cuttings in Boskoop, ~~the~~ The Netherlands has confirmed that the distinguishing characteristics of the new variety are transmitted through succeeding generations and asexually reproduced plants of the new variety reproduce true-to-type.

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COMPARISON WITH PARENT

The new variety differs from its parent, 'MRS. CHALMONDELEY', in producing flowers which are fully double; whereas flowers of the parent variety are single.

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BRIEF DESCRIPTION OF ILLUSTRATIONS

The accompanying illustrations depict ~~specimen flowers~~
5 plants of the new variety in color as true as possible in color
photographic illustrations of this nature.

~~One figure~~ FIG. 1 shows the plant of the new variety with
a cluster of flowers; and

~~The other figure~~ FIG. 2 shows a close up of the flower of
10 the new variety.

DETAILED DESCRIPTION OF THE NEW VARIETY

The following is a description of the new variety taken from
2-year-old plants grown out-of-doors in 5 liter containers in
15 Boskoop, ~~the~~ The Netherlands during the month of June. Color
designations used herein are from ~~the~~ THE ROYAL HORTICULTURAL
SOCIETY ~~COLOR~~ COLOUR CHART ("RHSC").

PLANT PLANT

20 The plant grows in a climbing habit and attains a height of
slightly more than 2 M. with an average diameter of about 35 cm.
and with vigorous growth.

FOLIAGE FOLIAGE

25 Size: About 5 cm. to 8 cm. long and up
to about 4.8 cm. wide.

Quantity: About 6 leaves (3 pairs of
opposite leaves) per about 15 cm.
stem.

30 Leaf

Average length: About 15.3 cm.

Average width: About 9.3 cm.

Average length
of leaflets: About 5 to 8 cm.

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	<u>Average width</u>	
	<u>of leaflets:</u>	<u>About 2.7 to 4.8 cm.</u>
5	<u>Leaflet apex:</u>	<u>Apiculate</u>
	<u>Leaflet base:</u>	<u>Attenuate to acuminate</u>
	<u>Average petiole</u>	
	<u>length:</u>	<u>About 7.5 cm.</u>
	<u>Average petiole</u>	
10	<u>width:</u>	<u>About 2 mm.</u>
	Color	
	Immature foliage	
	Upper side:	Between 141A and 143A
	Underside:	Between 146A and 146B
15	Mature foliage	
	Upper side:	Near 137A
	Under side:	Between 137B and 137C
	Shape:	Trifoliolate - leaflets are ovate to narrow ovate
20	Texture	
	Upper side:	Smooth
	Under side:	Smooth
	Veination <u>Venation</u> :	Anastomosing
	Edge:	Smooth with no serration observed.
25	Petiole color	
	Top surface:	Near 166A
	Under side:	Between 143A and 141B
	Stipules:	No stipules observed
30	Auricles:	No auricles observed
	Rachis:	Smooth

STEM

	<u>Average length:</u>	<u>About 90 cm.</u>
35	<u>Average width:</u>	<u>About 3 mm.</u>

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Texture: Smooth, slightly glossy
Aspect: Ribbed lengthways with an average
5 of 6 ribs
Average internode
length: About 12.6 cm.
Color of young stem: Near 143A to 143C to 144A

10 ~~WOOD~~ WOOD

Color: Near ~~143A~~ Color of new wood near
143A and 143C to 144A; color of
old wood near 175A to 175B
Bark: Bark has short pale greyish hairs

15

~~FLOWER~~ FLOWER:

Color: Not for use as a cut flower
Shape of buds: Clear blue double flowers
20 Average length of buds: Ovate
Average width of buds: About 2.4 cm.
Color of buds: Abp 1.4 cm.
Near 145A, with lighter axial
stripes; near 145D
25 Average number of
flowers and buds
per plant per season: 7
Flower shape: Round
Average flower
diameter: About 16.1 cm.
30 Average flower depth: About 6.7 cm.
Fragrance: Very faint, sweet
Tepals
Average number: 6 (occasionally 7 or 8)
Average length: About 8 cm.
35 Average width: About 4.9 cm.

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5 Shape: Obovate
 Apex: Mucronulate
 Base: Cuneate
 Margin: Entire
 Color of tepal
 when young
 Upper side: Violet-blue; near 92A, tip and
10 central band near the tip near
 71B to 71C
 Under side: Violet-blue; near 90D, with a
 broad central band near 145C to
15 145D (with a slight touch of
 violet-blue)
 Color of tepal
 when mature
 Upper side: Violet-blue; near 91B with a
 lighter center near 91D and a
20 small blotch near 71C to 71D at
 the tip
 Under side: Violet-blue; near 91C; margins
 darker; near 91B and a broad
 central band near 145C to 145D
25 Petaloids: The flowers have no sepals,
 only petaloids
 Average number: About 325
 Average length: About 4.2 cm.
 Average width:
30 Outer
 (wider): About 1.8 cm.
 Inner
 (Narrower): About 4.5 mm.

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Shape

Outer: Obovate

5 Inner: Linear

Apex

Outer: Rounded to praemorse

Inner: Acute

Base: Cuneate

10 Margin: Entire

Color when young

Upper side: Outer petaloids violet-blue near 92A; tip violet near 86B; inner petaloids violet near 86B to 86C

15 Under side: Outer petaloids violet-blue near 90D, with a broad central band near 145C to 145D; inner petaloids violet-blue near 91D

20 Color when mature

Upper side: Outer petaloids violet-blue near 91A with a lighter center near 91B to 91C; inner petaloids violet-blue near 92A

25 Under side: Outer petaloids violet-blue near 91C to 91D, margins darker near 91B and a central blotch near 145D; inner petaloids violet-blue near 91D

30 Average flower

lastingness of

individual flower:

20 days

Time to produce

a flowering plant:

12 months

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Natural flowering

season:

June to September in Boskoop,

5

The Netherlands

Flowers completely double; all reproductive organs transformed into petaloid. No pollen is formed, no stigmas present, no seed is produced.

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WINTER HARDINESS

WINTER HARDINESS:

Winter hardy in USDA Zone 5

RESISTANCE TO DISEASE

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RESISTANCE TO DISEASE:

~~Good, no~~ No more susceptible to disease than its parent variety or other similar varieties.

BREEDING BREEDING:

20

Asexual reproduction was started from softwood cuttings during the summer months in tunnels. Natural mutation was observed when one branch of the parent variety flowered with double flowers. This mutation branch was then propagated by softwood cuttings.

25

STAMENS, FILAMENTS & ANTHERS

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STAMENS, FILAMENTS & ANTHERS

Arrangement:

Flowers are completely double, so no stamens, styles, etc. are visibly present. No seed formation observed.

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**SUBSTITUTE SPECIFICATION
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I CLAIM:

5 A new Clematis plant of the variety substantially as shown
and described.

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SUBSTITUTE SPECIFICATION
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CLEMATIS PLANT NAMED 'VANSO'

5 ABSTRACT

Described as a new variety of Clematis which produces fully
doubled flowers of attractive coloration.

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CLEMATIS PLANT NAMED 'VANSO'

LATIN NAME OF GENUS CLASSIFICATION

The botanical classification of the ~~present invention~~
~~relates to a new Clematis plant~~ is Clematis hybrid.

5 VARIETY DENOMINATION

The new plant has the varietal denomination 'VANSO'.

BACKGROUND OF THE INVENTION

The present invention relates to a new Clematis plant
having the varietal denomination 'VANSO'. 'VANSO' was discovered
10 as a natural branch mutation of the variety 'MRS. CHALMONDELEY',
not known to be patented.

SUMMARY OF THE INVENTION

The new variety is a Clematis plant with a climbing habit
distinguished by production of fully double flowers. Asexual
15 reproduction of the new variety as performed by softwood
cuttings in Boskoop, The Netherlands has confirmed that the
distinguishing characteristics of the new variety are
transmitted through succeeding generations and asexually
reproduced plants of the new variety reproduce true-to-type.

20 COMPARISON WITH PARENT

The new variety differs from its parent, 'MRS. CHALMONDELEY',
in producing flowers which are fully double; whereas flowers of
the parent variety are single.

BRIEF DESCRIPTION OF ILLUSTRATIONS

25 The accompanying illustrations depict plants of the new
variety in color as true as possible in color photographic
illustrations of this nature.

FIG. 2 shows a close up of the flower of the new variety.

5 The following is a description of the new variety taken
from 2-year-old plants grown out-of-doors in 5 liter containers
in Boskoop, The Netherlands during the month of June. Color
designations used herein are from THE ROYAL HORTICULTURAL
SOCIETY COLOUR CHART ("RHSC"). The age of the plants used for
10 the description is 2 years and were grown in 5 litre containers.

The plant grows in a climbing habit and attains a height of slightly more than 2 M. with an average diameter of about 35 cm. and with vigorous growth.

Size: About 5 cm. to 8 cm. long, and up
to about 4.8 cm. wide; diameter
approximately 35 cm.

Leaf

25 Average length
of leaflets: About 5 to 8 cm; average about
6.2 cm.

of leaflets: About 2.7 to 4.8 cm; average
 about 3.2 cm.

	Leaflet apex:	Apiculate
	Leaflet base:	Attenuate to acuminate
	Average petiole length:	About 7.5 cm.
5	Average petiole width:	About 2 mm.
	Color	
	Immature foliage	
	Upper side:	Between <u>R.H.S.-CC 141A</u> and 143A
10	Underside:	Between <u>R.H.S.-CC 146A</u> and 146B
	Mature foliage	
	Upper side:	Near 137A
	Under side:	Between <u>R.H.S.-CC 137B</u> and 137C
	Shape:	Trifoliolate - leaflets are ovate to narrow ovate
15	Texture	
	Upper side:	Smooth
	Under side:	Smooth
	Venation:	Anastomosing
20	Edge:	Smooth with no serration observed.
	Petiole color	
	Top surface:	Near 166A
	Under side:	Between <u>R.H.S.-CC 143A</u> and 141B
25	Stipules:	No stipples <u>stipules</u> observed
	Auricles:	No auricles observed
	Rachis:	Smooth
	STEM	
	Average length:	About 90 cm.
30	Average width:	About 3 mm.
	Texture:	Smooth, slightly glossy

	Aspect:	Ribbed lengthways with an average of 6 ribs
	Average internode length:	About 12.6 cm.
5	Color of young stem:	Near <u>R.H.S.-CC 143A to 143C to 144A</u>
WOOD		
10	Color:	Color of new wood <u>green to yellow green - near R.H.S.-CC 143A and 143C to 144A</u> ; color of old wood <u>greyed-orange - near R.H.S.-CC 175A to 175B</u>
15	Bark:	Bark has short pale greyish hairs
FLOWER:		
	Color:	Clear blue double flowers
	Shape of buds:	Ovate
20	Average length of buds:	About 2.4 cm.
	Average width of buds:	About 1.4 cm.
	Color of buds:	<u>Yellow-green, near R.H.S.-CC 145A</u> , with lighter axial stripes, near <u>R.H.S.-CC 145D</u> .
25	Average number of flowers and buds per plant per season:	7
	Flower shape:	Round <u>Rotate</u>
30	Average flower diameter:	About 16.1 cm.
	Average flower depth:	About 6.7 cm.

Fragrance: Very faint, sweet

Tepals

- 5 Average number: 6 (occasionally 7 or 8)
- Average length: About 8 cm.
- 5 Average width: About 4.9 cm.
- Shape: Obovate
- Apex: Mucronulate
- Base: Cuneate
- Margin: Entire
- 10 Color of tepal
 when young
- Upper side: Violet-blue; near R.H.S.-CC 92A,
 tip and central band near the tip
 near R.H.S.-CC 71B to 71C
- 15 Under side: Violet-blue; near R.H.S.-CC 90D,
 with a broad central band near
 R.H.S.-CC 145C to 145D (with a
 slight touch of violet-blue)
- 20 Color of tepal
 when mature
- Upper side: Violet-blue; near R.H.S.-CC 91B
 with a lighter center near
 R.H.S.-CC 91D and a small blotch
 near R.H.S.-CC 71C to 71D at the
- 25 tip
- Under side: Violet-blue; near R.H.S.-CC 91C;
 margins darker; near R.H.S.-CC
 91B and a broad central band near
 R.H.S.-CC 145C to 145D
- 30 TepaloidsPetaloids: ~~The flowers have no sepals,~~
 ~~only petaloids~~

	Average number:	About 325
	Average length:	About 4.2 cm.
	Average width:	
	Outer	
5	(wider):	About 1.8 cm.
	Inner	
	(Narrower):	About 4.5 mm.
	Shape	
	Outer:	Obovate
10	Inner:	Linear
	Apex	
	Outer:	Rounded to praemorse
	Inner:	Acute
	Base:	Cuneate
15	Margin:	Entire
	Color when young	
	Upper side:	Outer tepaloïds petaloïds violet-blue near <u>R.H.S.-CC 92A</u> ; tip violet near <u>R.H.S.-CC 86B</u> ; inner tepaloïds petaloïds violet near <u>R.H.S.-CC 86B to 86C</u>
20		
	Under side:	Outer tepaloïds petaloïds violet-blue near <u>R.H.S.-CC 90D</u> , with a broad central band near <u>R.H.S.-CC 145C</u> to 145D; inner tepaloïds petaloïds violet-blue near <u>R.H.S.-CC 91D</u>
25		
	Color when mature	
30	Upper side:	Outer tepaloïds petaloïds violet-blue near <u>R.H.S.-CC 91A</u> with a

lighter center near R.H.S.-CC 91B
to 91C; inner ~~tepaloïds~~petaloïds
violet-blue near R.H.S.-CC 92A

Under side: Outer ~~tepaloïds~~petaloïds violet-
blue near R.H.S.-CC 91C to 91D,
margins darker near R.H.S.-CC 91B
and a central blotch near R.H.S.-
CC 145D; inner ~~tepaloïds~~petaloïds
violet-blue near 91D

Average flower
lastingness of
individual flower: 20 days
Time to produce
a flowering plant: 12 months

Natural flowering
season: June to September in Boskoop,
The Netherlands

Flowers completely double; all reproductive organs
transformed into ~~tepaloïds~~petaloïd. No pollen ~~areis~~are formed, no
anthers, no stigmas, or pistils are present, no fruits or seeds
isare produced.

WINTER HARDINESS: Winter hardy in USDA Zone 5

RESISTANCE TO DISEASE: No more susceptible to disease
than its parent variety or other
similar varieties.

BREEDING: Asexual reproduction was started
from softwood cuttings during the

5

summer months in tunnels.
Natural mutation was observed
when one branch of the parent
variety flowered with double
flowers. This mutation branch
was then propagated by softwood
cuttings.

STAMENS, FILAMENTS & ANTHERS

10

Arrangement:

Flowers are completely double, so
no stamens, styles, etc. are
visibly present. No seed
formation observed.

41419/CAB/P622

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I CLAIM:

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ABSTRACT

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